

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

JESSE ECHOLS,

PLAINTIFF

V.

NO. 4:06CV026-A-D

MARVIN MILLER,

DEFENDANT

ORDER

This matter is before the court on Plaintiff's motion for a default judgment against Defendant Marvin Miller. On June 16, 2008, the Clerk of the Court filed an entry of default against the aforementioned Defendant. The court then, generously, ordered the Defendant to answer the complaint and warned that his failure to do so might result in a judgment against him. Nevertheless, the Defendant has failed to plead or otherwise defend as provided by the Federal Rules of Civil Procedure. Accordingly, the court finds that Plaintiff's motion for default judgment (docket entry 41) is GRANTED. Default judgment is hereby entered against Defendant Marvin Miller and a hearing will be set at a later date to determine damages.

THIS the 12th day of August, 2008.

/s/ Sharion Aycock
SHARION AYCOCK
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF MISSISSIPPI